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08/147,941	11/05/93	BROOKS D	RMP27

MARTIN, D EXAMINER

21M1/0624

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ART UNIT	PAPER NUMBER
2107	3

DATE MAILED: 06/24/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☒ Notice of References Cited by Examiner, PTO-892.
2. ☒ Notice re Patant Drawing, PTO-948.
3. ☒ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Petent Application, Form PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-47 are pending in the application.
   Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-47 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
    ☐ been filed in parent application, serial no. _____; filed on _____
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

The prior art reference from a brochure could not be considered as no date of publication could be found.

1. Claims 14-29 and 31-47 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Line 4 of claim 1 is questioned. Is not the back part of the chair which would suggest that the line read: a back secured to said seat...? This language is found in claims 14, 21, 27 and 30.

Claim 4 is questioned. Are these the signals from the two power supply means? If not where are they coming from? The last seven lines of this claim are not understood and considered vague and indefinite. Claim 10 is similarly not understood.

There is no antecedent basis for "said power lift mechanism" and "said power recline mechanism" in line 8 of claim 14. Claims 21, 27 and 30 also contains this language.

Lines 14-21 of claim 14 describing a signal is not understood. Is this meant to describe a "pulse"? This signal description is fragmented and not understood. Claims 21, 31 and 44 also contain this language.

Claim 17 is not understood. How can a signal be turned "on"? Lines 3-4 of this claim are thus questioned. There is no antecedent basis for "said one switch".

What does "entering a setup mode" mean? This language is not understood. There is no antecedent basis for "said one switch".

Claim 35 is not understood. Lines 6-9 are questioned in terms of the intended meaning.

What is meant by the step of "detecting the activation of said disable mode". How is this different from the previous detection step?

2. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an adequate written description of the invention.

The description of the control circuit 54 beginning on page 24 is not understood. Firstly the claims recite two distinct and separate power supplies- where are these? What input switch is being refered to on line 14 of page 24? What is a maintained output signal? The closure of which switches is being

refered to in line 14 of page 24. What determines when the "alternative" in line 19 occurs? What is a "set-up switch"? The examiner does not understand the meaning of pages 24-37, especially in terms of the claims. As best as the examiner can understand the invention is as: there exist two sets of buttons on the chair. Each have a clear function associated with the movement of the chair. Then upon the depression of certain multiple buttons a sequence in a program is activated. The sequences are called "disable" and "set-up". The wording of how these programs is written in such a confusing manor the examiner does not understand how it works. The claims based upon these sequences seem to have left out necessary information to understand them.

3. Claims 1-26 and 31-47 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who

> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claim 30 is rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Gonser et al..

6. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

7. Claims 14-29 and 31-47 are rejected under 35 U.S.C. § 103 as being unpatentable over Taylor et al. '324 in view of Takeda et al.'252.

Taylor et al. teach the basic structure of a dental chair that is adjustable. Taylor et al. fail to teach the use of pulse feeding the motor. As best as the claims

are understood this is the significant difference between the claims and the prior art. Takeda et al. teach a pulse feed system for the adjustment of a chair. One of ordinary skill in the art would have known to use Takeda et al.'s teaching of motor drives within the seat structure of Taylor et al. to create an more accurate driving ability of a dental chair, as servo control is a highly accurate control method as well as being very fast and efficient.

8. Claims 1-13 are rejected under 35 U.S.C. § 103 as being unpatentable over Taylor et al.'324 in view of Takeda et al.'252 in further view of Benjamin et al.'186..

Taylor et al. and Takeda et al. teach the basic dental chair control method as discussed above. They fail to teach membrane switches as the switching elements. Benjamin et al. teach the use of membrane switches 102 within this working environment. One of ordinary skill in the art would have known to use such switches within the system of Taylor et al. and Takeda et al. for the safe use of the buttons to protect against accidental switching of these buttons.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art teaches various seat control devices.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Martin whose telephone number is (703) 308-3121.

David Martin

DAVID S. MARTIN
PATENT EXAMINER
GROUP 2100

DM
June 13, 1994